



CITY OF GREENLEAF

20523 North Whittier Drive
Greenleaf, Idaho 83626



ORDINANCE NO. 196

Sponsored by Council Member Steve Jett

AN ORDINANCE OF THE CITY OF GREENLEAF MODIFYING GREENLEAF CITY CODE § 4-4-4 ADJUSTING OPEN BURNING PERMIT CONDITIONS OF PERMIT; MODIFYING GREENLEAF CITY CODE § 4-4-3 TO APPLY OPERATIONAL TIMES TO INCINERATOR BURNING; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENLEAF, CANYON COUNTY, STATE OF IDAHO, AS FOLLOWS:

Section 1: The City Council does hereby make the following findings:

WHEREAS, Pursuant to Greenleaf City Code § 4-4-3:C, open burning permits issued by the City Clerk are required to be in compliance with § 4-4-4,

Section 2: Now therefore, the Greenleaf City Council hereby adopts the following modification to § 4-4-4:

4-4-4: CONDITIONS OF PERMIT:

It shall be unlawful for any person obtaining a permit as provided for in subsection 4-4-3C of this chapter to:

- A. Cause open burning at any time other than as defined by resolution between the hours of nine o'clock (9:00) A.M. to five o'clock (5:00) P.M.; or
- B. Fail to have a garden hose connected to the water supply or other means of extinguishment readily available; or
- C. Fail to have the open burn continuously attended by a competent person; or
- D. Conduct any open burning outside the bounds of the lot, parcel, and/or land for which the permit is issued; or
- E. Conduct any open burning on streets, alleys, sidewalks, curbs or gutters; or
- F. Burn any rubbish or refuse other than weeds, trimmings, small branches, and the like that have grown on the property; or
- G. Conduct any open burning in excessive wind presenting endangerment to neighboring properties, or when there is an air quality index of greater than 60 for any pollutant, as reported an air quality advisory issued by the Idaho division department of environmental quality, or if prohibited by the Fire Marshal fire chief of the Caldwell rural fire protection district or the Fire Marshal's chiefs designee due to excessive wind or other dangerous

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conditions. The Fire Marshal may also reference and apply the open burning and recreational fires provisions within the International Fire Code.

Section 3: Now therefore, the Greenleaf City Council hereby adopts the following modification to § 4-4-3:

4-4-3: OPEN BURNING RESTRICTIONS; PERMIT:

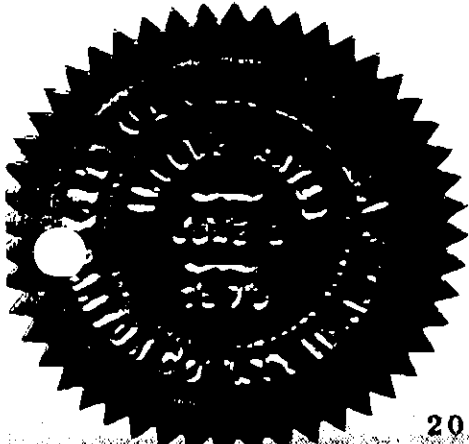
It shall be unlawful for any person to cause open burning of rubbish or refuse or to burn rubbish or refuse in an incineration device except as hereinafter provided:


- A. Incinerators: Any person may use an incinerator in the interior of a building or on the exterior of a building, provided such incinerator meets the requirements of the building and fire codes and meets the approval of the Idaho division of environmental quality on emissions. The hours of operation of such incinerator shall be as defined by resolution ~~between seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M.~~
- B. Barbecues: Nothing herein contained shall be construed to prohibit the use of outdoor fireplaces, barbecue pits or grills in preparing food or for recreational purposes.
- C. Permit Issuance: When the city clerk has duly issued a permit, approved by resolution of the city council, and in compliance with section 4-4-4 of this chapter and only for open burning of rubbish or refuse used for control or alleviation of fire hazard or for weed control when no alternate control method exists.

Section 4: This Ordinance shall be in full force and in effect immediately upon its adoption, approval and publication.

Section 5: Relevant portions of Ordinance No. 118 are specifically repealed and all previous ordinances, resolutions, orders, or parts thereof, in conflict herewith are hereby repealed, rescinded and annulled.

Section 6: Adopted and approved by the City Council of the City of Greenleaf this 04th day of October, 2005.




Bradley Holton, Mayor

Attest:


Lee C. Belt, City Clerk

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